

First, several Defendants have filed motions to dismiss for alleged lack of personal jurisdiction. As set forth more fully in Plaintiff's responses to these motions, Third Circuit precedent directs that jurisdictional discovery be taken in these circumstances. *Toys "R" Us, Inc., et al. v. Step Two, S.A., et al.*, 318 F.3d 446, 456 (3d. Cir. 2003). This discovery necessarily will concern the nature, timing, and extent of the online activities by which Defendants distributed and/or received unlawful child pornography, including but not limited to illegal images of Plaintiff. The required jurisdictional discovery therefore will overlap significantly with merits and class discovery as to the individual Class Representative Defendants named in the Complaint. In the interest of efficiency, and to preclude multiple rounds of written discovery and depositions, Plaintiff requests that the facts concerning personal jurisdiction, class certification, and the merits of Plaintiff's claims all be investigated in one concurrent period of fact discovery.

Second, due to the nature of the claims at issue, fact discovery will involve not only the usual written discovery and depositions of the Defendants, but also significant third-party discovery from governmental and quasi-governmental agencies such as the United States Attorney's offices that prosecuted the Defendants; the Federal Bureau of Investigation; the Immigration and Customs Enforcement service of the Department of Homeland Security; and the National Center for Missing and Exploited Children, which are in possession of evidence

concerning the relevant actions of one or more of the Defendants. In addition to the delays inherent in dealing with these busy agencies, Plaintiff expects that the fact that most of the Defendants are incarcerated will create a certain amount of delay in completing written discovery and depositions. Plaintiff therefore believes that the initial fact discovery period should last a minimum of six months.

Third, the class of unnamed Defendants in this matter numbers approximately 2500 and, unfortunately, continues to grow. Plaintiff's motion for class certification will require taking third-party discovery from the Bureau of Prisons, the Department of Justice, and state and local agencies that operate sex-offender registration programs, among other things, to locate current addresses for as many class members as possible for purposes of providing adequate notice to the class. Plaintiff will conduct this discovery concurrently with discovery as to the named Class Representative Defendants, to the extent possible.

II. Proposed Discovery Schedule

With some exceptions, Plaintiff generally concurs with the schedule for discovery and class certification proceedings proposed by counsel for Defendant Stephen Jabbour. Plaintiff proposes that the following elements be incorporated into an appropriate scheduling order to govern discovery:

- An initial six-month period of fact discovery as to the named parties shall begin thirty days after the Court resolves Defendants' pending dispositive motions;
- The parties shall identify expert witnesses for trial and shall serve expert reports no later than the last day of the initial six-month fact discovery period;
- A two-month period of expert discovery will commence on the last day of the initial six-month fact discovery period;
- Discovery with regard to unnamed class members shall run concurrently with fact and expert discovery, for a total of eight months;
- Plaintiff shall file her Motion for Class Certification thirty days after the conclusion of the eight-month discovery period;
- Defendants shall have a period of thirty days after filing of the Motion for Class Certification within which to file any opposition to said Motion;
- Plaintiff shall file her Reply Memorandum in support of class certification within 14 days after the filing of Defendants' opposing memoranda.

This 7th day of February, 2014.

s/ Michael A. Ferrara

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing document upon all parties to this litigation, by (1) electronically filing same with the Court, and thus causing electronic service to be performed upon all parties registered for electronic filing; and (2) mailing copies of the document to the following:

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This 7th day of February, 2014.

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